

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of Residential Building
Contractor License of Abelard
Construction, Inc.

AMENDED PREHEARING ORDER

A prehearing conference was held on April 30, 2009, at the Office of Administrative Hearings, 600 North Robert Street, St. Paul, MN. Michael J. Tostengard, Assistant Attorney General, appeared on behalf of the Department of Labor and Industry. John J. Steffenhagen, Hellmuth and Johnson, PLLC, appeared on behalf of Abelard Construction, Inc.

The Department notified Abelard Construction, Inc. that an amended Statement of Charges may be issued. The parties agreed to conduct informal discovery.

IT IS HEREBY ORDERED:

1. The parties shall exchange proposed written exhibits and witness lists, and file an index of exhibits and a copy of the witness list with this office by **September 6, 2009**. See Minn. R. 1400.6950. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Any party objecting to foundation for any written exhibit shall notify the offering party and judge in writing at least two working days prior to the hearing or the foundation objection is waived.

2. Hearings are ordinarily digitally recorded. In the event that any party requests a court reporter, notice shall be given to the Office of Administrative Hearings no later than **September 6, 2009**. See Minn. R. 1400.7400, subp. 2.

3. This matter is scheduled for hearing on **September 16, 2009** commencing at **9:30 AM** at the Office of Administrative Hearings, 600 North Robert Street, St. Paul, Minnesota.

4. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge pursuant to Minn. R. 1400.7000. A copy of the subpoena request shall be served on the other parties. A subpoena request form is available at www.oah.state.mn.us.

5. The parties have not requested accommodation for a disability or appointment of an interpreter. The Office of Administrative Hearings shall be notified promptly if either an accommodation or interpreter is needed.

6. This case may be appropriate for mediation. The parties are encouraged to consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

Dated this 5th day of May 2009.

s/Beverly Jones Heydinger
BEVERLY JONES HEYDINGER
Administrative Law Judge